

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

RICHARD LEE MORGAN

V.

CORRECTIONAL OFFICER WEAVER

§
§
§

CIVIL ACTION NO. G-03-993

ORDER OF DISMISSAL

On July 11, 2006, an Order granting Defendant's Motion for Extension of Time in which to submit a dispositive motion in this cause was entered by the United States Magistrate Judge. On July 21, 2006, a copy of the Order which was mailed to Plaintiff at his address of record was returned to the Court marked: "RTS - Paroled." The Court has received no correspondence or address update from Plaintiff since February, 2006.

Parties bear the burden of advising the court of address changes. *See* Local Rule 2(F). The failure to do so, as in the instant case, can result in the dismissal of an action for want of prosecution. *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988). Plaintiff's failure to properly pursue this action prompts the Court to conclude that he lacks due diligence or no longer wishes to pursue his case.

Accordingly, under the inherent powers necessarily vested in a Court to manage its own affairs in order to achieve the orderly and expeditious disposition of cases and to avoid congestion in its calendar, this Court determines that dismissal for want of prosecution is appropriate. *See* Federal Rules of Civil Procedure 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962). It is hereby **ORDERED** that this action is **DISMISSED** without prejudice for want of prosecution.

DONE at Galveston, Texas, this the 1st day of August.



Samuel B. Kent
United States District Judge